

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:33 p.m. by Mayor Bush and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Bush, Vice-Mayor Venis and Councilmembers Cox, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. PRESENTATIONS

Service Awards

3.1 David Dunn, Firefighter - Five Years

Mayor Bush presented Mr. Dunn with a service award.

3.2 John Brown, Maintenance Technician I - Ten Years

Mayor Bush presented Mr. Brown with a service award.

From Council

3.3 Linda Owen, Director of Emergency Assistance Service Efforts

Mayor Bush presented Ms. Owen with a Certificate of Appreciation for her efforts with the Holiday Food and Toy Drive.

3.4 Millard Barrineau, Fire Lieutenant

Mayor Bush presented Lieutenant Barrineau with a Certificate of Appreciation for his efforts with the Holiday Food and Toy Drive.

To Council

3.5 WestFest

Earl Morrall highlighted the many efforts and plans being accomplished to make WestFest the biggest event in Davie. He expressed the need for more volunteers to assist with the parade. He stated that Matt Herrigan, Director of the Boys and Girls Clubs of Hollywood, had received glowing reports from the Ehlinger apartment complex.

Planning Director Michelle Mellgren stated that Teen Challenge had located a site and had applied to the Town for an occupational license. She advised that this issue did not require Council's review. Councilmember Kiar inquired if it was a business. Ms. Mellgren responded that it was a group home which was encouraged to locate within a residential area. She stated that requests for occupational licenses did not generally come before Council, but were an administrative function of the Town. Vice-Mayor Venis inquired about the necessity for the home to apply for permits when remodeling. Ms. Mellgren stated she would follow up and would provide Council with a report.

3.6 Davie/Cooper City Chamber of Commerce

No presentation was given.

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

4. COUNCILMEMBER COMMENTS

COUNCILMEMBER SANTINI

EXPRESSIONS OF THANKS. Councilmember Santini wished everyone a happy and prosperous New Year. She thanked Matt Morrall and Representative Debbie Wasserman-Schultz who provided tickets for the Car Quest Bowl to the Police Athletic League and the Boys and Girls Clubs.

COUNCILMEMBER COX

NEW YEARS. Councilmember Cox also expressed wishes to all for a happy New Year.

COUNCIL PRODUCTIVITY. Councilmember Cox stated that Council had a productive nine months. She commented that Imagination Farms, Emergency Medical Services and Huck Liles as some of the different issues.

CODE OF ORDINANCE REVIEW COMMITTEE. Councilmember Cox stated that she would be provided Ms. Mellgren with different ordinances regarding problems in university areas and negative situations for the Committee to review and possibly incorporate in the Town's Code. She suggested the possibility of establishing a committee or homeowner's group that act as a liaison between the neighborhood residents and the educational facilities.

Councilmember Cox stated that one of the ordinances provided a means of imposing judiciary consequences should be established for students who misbehaved continually. She advised that a student violates the Code three times, the university's judicial system could have the student expelled or suspended.

COUNCILMEMBER KIAR

NEW YEARS. Councilmember Kiar wished everyone a happy New Year.

CAMPAIGN PROMISES. Councilmember Kiar stated that he would keep his promise to allow residents to retain their well water and not be compelled to use city water.

EXPRESSIONS OF THANKS. Councilmember Kiar praised Linda Owen for her dedication to the less fortunate. He also thanked the Kiwanis Club for their Children's Christmas Party and asked Ms. Owen to provide 40 to 50 more names for the future. Councilmember Kiar recognized McDonald's Corporation for their participation in the Kiwanis party.

TRAFFIC SIGNAL. Councilmember Kiar asked if anyone was following up on the traffic signal at Flamingo Road and SW 8 Street. Assistant Town Administrator Robert Rawls responded affirmatively.

MIAMI HERALD. Remarking on an article in the Miami Herald, Councilmember Kiar voiced his agreement with the author regarding the excessive length and late night hours of meetings. He said it was unfair to the public and recommended that an ordinance be introduced to limit meeting lengths and apply a curfew.

VICE-MAYOR VENIS

EXPRESSIONS OF THANKS. Vice-Mayor Venis wished everyone a happy and prosperous New Year. He said that 1995 had been a very productive year and expressed his thanks.

POLICE ATHLETIC LEAGUE CHRISTMAS PARTY. Vice-Mayor Venis acknowledged Publix for donating the pastries for the party which the children enjoyed.

WATER SURVEY. Vice-Mayor Venis recalled that the Town had a resolution prohibiting supply of city water to residents on wells without approval.

BLASTING ISSUE. Vice-Mayor Venis stated that Broward County Commissioner Lori

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

Parrish had inquired about the Town's position on blasting. He said a public hearing on the issue would be held January 9, 1996, at 2:00 p.m. in the County Commission Chambers. Vice-Mayor Venis said he and Mr. Flatley or Mr. Rawls should be in attendance.

TRAFFIC LIGHTS. Directing his inquiries to Mr. Rawls, Vice-Mayor Venis asked for an update on traffic lights. Mr. Rawls addressed the intersection of Shotgun Road and 14th Street, stating the request had been submitted but no light installed. He added that the intersection would be realigned. Mr. Rawls spoke to the school zone flashing light on Appalachian and Shenandoah Parkway, stating that this matter was on the list.

Regarding the application for 136th Avenue, Vice-Mayor Venis stated that the intersection was dangerous and questioned if a request could be made for that location.

Mr. Rawls advised that a signal had been approved and installed at Sheridan and Dykes Roads. He related that the Dykes/Griffin Road signal had been approved in the past but the Town was meeting some opposition with the County.

Vice-Mayor Venis commented that staff had met with Florida Power & Light regarding streetlights along 136th Avenue. He said that 14th Street and 148th Avenue was a dark intersection requiring lighting with Mr. Rawls providing assurance that this request would be added. Mr. Rawls advised that the signal at Sheridan Street and 148th Avenue had been approved.

MAYOR BUSH

NEW YEAR. Mayor Bush wished all a prosperous New Year.

5. REVIEW OF TOWN OF DAVIE BLASTING ORDINANCE

Vice-Mayor Venis presented a history of the blasting ordinance which had been passed in February 1995. He said the ordinance indicated no blasting, with limited exceptions. Mr. Webber expounded on the ordinance's history and recalled that the Town had adopted an ordinance ten years prior which restricted blasting activities. He said that the status remained until Resolution R-87-276 was passed clarifying the authority of the Town Engineer. Mr. Webber explained that in 1995, Council decided to limit the scope of blasting activities and deny permission to blast within the Town for excavation purposes. He said the two limited exceptions were the creation of required utility systems and drainage canals.

Councilmember Santini inquired if there was a definition of a drainage canal. Mr. Webber responded negatively and added that Mr. Rawls was researching whether a definition existed within the County. Vice-Mayor Venis suggested a resolution be drafted specifically defining a drainage canal. Mr. Rawls advised that he was discussing this matter with South Florida Management.

Councilmember Cox asked about retention depth in drainage canals. Mr. Rawls explained that depth was not an issue. Discussion was held regarding canals.

Mr. Webber recommended clarifying Council's position by resolution. Dialogue continued. Mr. Rawls said the desire was to preserve the elements while incorporating the necessary. Vice-Mayor Venis recalled the intent of Council was to limit excavations.

6. CONSENT AGENDA

Minutes

6.1 August 29, 1995 - Special Meeting

Proclamations

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

- 6.2 National Volunteer Blood Donor Month - January 1996**
- 6.3 Youth Sports Month - January 1996**

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

Resolutions

6.4 SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

or

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DISAPPROVING A SUBDIVISION PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 2-1-95, Orangewood Farms, SW 118 Avenue, approximately 500 feet south of SW 17 Court) (tabled from December 6, 1995) *Planning and Zoning Department denied; Planning and Zoning Board denied*

R-96-1 **6.5 MAINTENANCE AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE AGREEMENT WITH TRAK ENGINEERING, INC. FOR THE FUEL MONITORING SYSTEM. (\$2,619.20)

R-96-2 **6.6 RANKINGS FOR OPERATION OF SUMMER SPORTS CAMP** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RANKINGS FOR OPERATION OF SUMMER SPORTS CAMP AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES. (West Broward Y.M.C.A.)

Ordinance - First Reading (Public Hearing to be held on January 17, 1996)

6.7 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM CR TO B-3; AMENDING THE ZONING MAP OF SAID TOWN TO COMPLY THEREWITH; AND PROVIDING AN EFFECTIVE DATE. (ZB 10-3-95, west side of University Drive approximately 2,750 feet north of Stirling Road)

RECOMMENDATION: Approval

Mayor Bush asked that item 6.6 be removed from the Consent Agenda. Councilmember Kiar asked that item 6.4 be removed.

Town Clerk Reinfeld read the ordinance - first reading by title only. Mayor Bush advised that a public hearing on item 6.7 would be held on January 17, 1996.

Vice-Mayor Venis made a motion, seconded by Councilmember Cox, to approve the Consent Agenda without items 6.4 and 6.6. In a roll call, the vote was as follows: Mayor Bush - yes; Vice-Mayor Venis - yes; Councilmember Cox - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

6.4 Councilmember Cox made a motion, seconded by Councilmember Kiar, to table item 6.4 until February 7, 1996. In a roll call, the vote was as follows: Mayor Bush - yes; Vice-Mayor Venis - yes; Councilmember Cox - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.6 Councilmember Kiar related that Craig Cala had been ranked second to the West Broward Y.M.C.A., and expressed disappointment in the rankings. He recalled that Mr. Cala had provided a free clinic the previous year which was highly successful and he felt that Mr. Cala should have been ranked first.

Sharon Pierce-Kent, Director of Community Services, advised that the revenues from the bidders were the same and advised that either bidder could be worked with. She said that the Town's committee was concerned with Mr. Cala's administrative skills, promotional aspects, knowledge with first aide and HRS rules. Christopher Wallace, Director of Budget and Finance, stated that the committee was impressed with Mr. Cala's abilities in teaching the camps but there was reservations on his ability and understanding the legal requirements of the bid. Ms. Kent added that the Y.M.C.A. was open to hiring Mr. Cala as an instructor.

Vice-Mayor Venis asked if Mr. Cala could be utilized to provide sport's clinics for the coaches and the children. Ms. Kent responded in the affirmative.

Councilmember Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call, the vote was as follows: Mayor Bush - yes; Vice-Mayor Venis - yes; Councilmember Cox - yes; Councilmember Kiar - no; and Councilmember Santini - yes. (Motion carried 4-1)

7. PUBLIC HEARINGS

Mayor Bush opened the public hearing.

Ordinance - Second and Final Reading

96-1 **7.1 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM O TO B-2; AMENDING THE ZONING MAP OF SAID TOWN TO COMPLY THEREWITH; AND PROVIDING AN EFFECTIVE DATE. (ZB 10-2-95, southwest corner of SW 30 Street and University Drive)**

Town Clerk Reinfeld read the ordinance by title.

Mayor Bush asked if anyone wished to speak for or against the ordinance. Barbara Hall, representing the petitioner, was present.

As no one spoke, the portion of the public hearing was closed.

Vice-Mayor Venis made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Bush - yes; Vice-Mayor Venis - yes; Councilmember Cox - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.2 VACATION/ABANDONMENT - VA 11-1-95, McLaughlin Engineering Co./ M.V.P. Properties, Inc., Chaplin, and Scism, the internal roadways located within the Laurel Oaks North Community (to vacate the internal roadways located within the Laurel Oaks North Community) (tabled from December 20, 1995) Planning and Zoning Department approved: Planning

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

and Zoning Board approved

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

Judy Stern and Arthur Marrao, representing the petitioner, were present. Ms. Stern remarked that there were three issues: 1) relocation of the perimeter; 2) the parking impact; and 3) the gate location. As a compromise to the homeowners, she proposed that the gate be set back 150 feet with installation scheduled for July 3, 1996. Mr. Marrao discussed the easements, parking, and the postponement of the gate installation.

Councilmember Kiar inquired about location of the easement and the effect on residents. Councilmember Cox discussed the access points for Laurel Oaks.

Bill Laystrom, representing Laurel Oaks East Homeowners, made many comments and concluded that the residents wanted to preserve the open space and create few walls. He indicated that the residents were asking that this petition be denied without prejudice. Mr. Laystrom explained that this type of denial would allow the petitioner to return to Council should a satisfactory solution be reached between the residents and the petitioner.

Mayor Bush opened the public hearing.

Bonnie Chaplin-Scism, 11875 Orange Drive, spoke in favor of the privatization and expressed the rights of property owners as an issue.

Sergio Rodriguez, 11893 Acorn Drive, stated that he was opposed and requested a negative vote. He said it would cause a divided community and that children would be extremely restricted. Mr. Rodriguez remarked that property assessments would increase but property values would decrease. He commented about the access to the park outside the gate and suggested that the Town not experiment. Mr. Rodriguez stressed the roads belonged to the citizens of Davie.

Steve Needleman, 11844 SW 44 Street, expressed concern regarding old Davie versus new Davie and discussed access to the community. He suggested that questions be addressed before action was taken and that Council deny the petition. Bobbie Sewell, 11869 SW 43 Court, urged Council to deny the request and stated that she was opposed to an enclosed community.

Elizabeth Short, 11903 SW 44 Street voiced concern for a gated community.

Lynn Crespo, 11824 SW 43 Court, requested that Council deny privatization of the roads. She recommended an open community and mentioned the opposition by horse-owning residents.

Ms. Galindo, 11871 SW 43 Street suggested that the open atmosphere be maintained and added that the gates would divide the community.

Naomi Malka, 11848 SW 43 Street, said the subject was an affront to the residents and recommended that Council deny private roads.

Jay Enten, 4800 Hawkes Bluff Avenue, agreed that the issue would divide the community and urged disapproval.

Marvin Tibbits, 11825 SW 43 Court, expressed opposition to the gate and suggested that it not be allowed.

Hezi Malka, 11848 SW 43 Street, disagreed with separation of community. He advised they remain free and without gates.

David Brown, 11868 SW 43 Court, was strongly against separating the neighborhoods and questioned the effect on home values and children. He inquired if the developers were advocating the ordinance. Mr. Brown asked about liability matters in gated communities and suggested that substantive attempts be made to resolve the issues, questions and concerns. He recommended denial.

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

Mr. Laystrom referred to a petition which had been distributed and spoke about the requirements for turn around, easements and contributions by developers. He listed gate maintenance and landscaping maintenance costs as issues. Mr. Laystrom said there would be no gate on Laurel Oaks North. He also requested denial without prejudice until questions could be answered.

Ms. Stern said that she was not aware of an offer of compromise. She expressed concern regarding school buses, open access, property values and the liability situation. Ms. Stern predicted that liability would lie with the homeowners and not the Town. She reiterated that the gate was not scheduled for installation until July 3, 1996 and recommended issues be addressed beforehand.

Mr. Marrao inquired about and was told that no homes would be facing the gate. Mr. Brown stated that he believed four homes faced the gate. Councilmember Cox indicated that she thought two homes faced the gate. Mr. Brown disagreed and discussion ensued.

Councilmember Santini asked about the west side. Mr. Laystrom responded that it would create no entry problems. Councilmember Santini inquired about the site plan. Ms. Mellgren responded that the road first needed to be vacated.

Councilmember Cox questioned changes in the site plan. Ms. Mellgren said that any major changes would be discussed. Mr. Laystrom remarked that if the plan met all safety requirements, Council must approve. He said that the cost savings to the Town would be minimal.

Ms. Stern stated that Mr. Marrao had indicated that if the access for the children was a concern, she would be willing to give an easement. Mr. Marrao stated that he was willing to give an easement through all the roads as long as there was access through the "OSRT".

Councilmember Santini inquired about drainage. Mr. Rawls responded that maintenance would be performed once a year.

Ms. Stern requested that the vacation be granted with the gate not being placed for a six month period. A man questioned why push the process through and then changes made at the last minute.

Al Tyler said that the acceptance and process through the Site Plan Committee would conclude the issue. He said that Council needed to make the decision and should consider the consequences.

Leonardo Delamado expressed his family's opposition to privatization of the road and installation of a gate. Vice-Mayor Venis inquired about the timeframe regarding the entry feature. Mr. Laystrom responded a minimum 60 to 90 days.

Mayor Bush closed the public hearing.

Councilmember Cox thanked Mr. Marrao for his time and explained to Mr. Brown that the burden of proof would lie with the petitioner. She stated that the developer needed to consider open space and indicated that the Town derived benefits from the taxpayers. Councilmember Cox stated they had a certain obligation and listed several challenges. She recommended that Council deny with prejudice.

Councilmember Kiar agreed with Councilmember Cox's assessment of allowing access to the ridge for everyone. He cited the access problems with the gates and said installation of gates was not in the best interest of the community. Councilmember Kiar expressed his belief that there were serious legal issues.

Mr. Webber explained that if the issue was denied with prejudice, the petitioner could return in a year or less to address future issues.

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

Councilmember Santini recalled that public policy stated no gates in the west. Vice-Mayor Venis agreed and recalled the many previous discussions regarding the divisive gate subject. He said he felt the same about the ridge access.

Mayor Bush agreed that the challenges should be worked out before a commitment was made.

Vice-Mayor Venis made a motion, seconded by Councilmember Cox to deny with prejudice. In a roll call, the vote was as follows: Mayor Bush - yes; Vice-Mayor Venis - yes; Councilmember Cox - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Ms. Mellgren requested the planning report be entered into the record.

Mayor Bush closed the public hearing portion of the meeting.

Mayor Bush called for a recess at 10:30 p.m. and the meeting reconvened at 10:35 p.m.

Ordinance - Second and Final Reading

7.3 SEE ITEM 8.1 BEFORE CONSIDERING THIS ITEM.

VACATING INTERNAL ROADWAYS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING THE INTERNAL ROADWAYS SHOWN WITHIN THE LAUREL OAKS NORTH PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 11-1-95, McLaughlin Engineering Co. / M.V.P. Properties, Inc., Chaplin, and Scism) (tabled from December 20, 1995)

(This advertised public hearing will need to be tabled to a time certain)

Mr. Webber stated that in light of the action taken by the Council, items 7.3 and 8.1 were automatically withdrawn.

Mayor Bush advised that a request had been made to add a resolution as item 8.2. Town Clerk Reinfeld read the resolution by title.

Councilmember Kiar made a motion to approve. In a voice vote, all voted in favor.

8.2A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING

R-96-3 THREE NEWLY HIRED POLICE OFFICERS OF THE TOWN OF DAVIE POLICE DEPARTMENT TO ATTEND THE CRIMINAL JUSTICE INSTITUTE, 178TH SESSION.

Councilmember Santini made a motion, seconded by Councilmember Cox to approve. In a roll call, the vote was as follows: Mayor Bush - yes; Vice-Mayor Venis - yes; Councilmember Cox - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

8. ORDINANCE - FIRST READING (*Public Hearing to be held on January 17, 1996*)

8.1 VACATING INTERNAL ROADWAYS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING THE INTERNAL ROADWAYS SHOWN WITHIN THE LAUREL OAKS NORTH PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 11-1-95, McLaughlin Engineering Co. / M.V.P. Properties, Inc., Chaplin, and Scism) (tabled from December 20, 1995)

No action was taken on this item due to the denial of item 7.2.

9. TOWN ADMINISTRATOR'S REPORT/DISCUSSION

9.1 Report on Thumper Lakes Special Assessment Request

Mr. Flatley explained the memo from Mr. Wallace which had been distributed. He said that the Town had been presented an opportunity but was under no obligation to create the district. Mr. Flatley cautioned if the Town passed the responsibility to the State of Florida, the Town would have to accept the State's decisions.

Mr. Flatley stated that some advantages to the property owners and developers was the issuance of tax exempt bonds and maintenance costs paid from ad valorem taxes. He said the Town would lose some control, but would not be liable for any debts.

Mr. Wallace stated that this type of district was another government for a specific area within the Town's boundaries. He advised that the district would be issuing the debt and the Town would not be liable for the debt. Mr. Wallace added that there were some issues that were political in nature and not financial. Mr. Flatley indicated that this district was tied to the lawsuit that Mr. Atkinson had alluded to and was one of the requirements for dropping the lawsuit. Councilmember Santini indicated that she would rather go to court.

Mayor Bush questioned if power of the district could be limited. Mr. Flatley responded that if a district was awarded, the district was entitled to all powers within the district. He indicated that another level of government was being established between the developer and the Town. Mr. Webber indicated that he would have to examine the statutes to determine if powers could be limited.

Councilmember Cox inquired if the State made a decision if the Town was not interested. Mr. Wallace replied that Council would have to decide to accept, reject or transfer the obligation.

Vice-Mayor Venis questioned the effect on future property owners and a deadline on Council's decision. Mr. Webber related that an agreement had been reached to hold litigation in abeyance until Council had an opportunity to review the situation.

Councilmember Santini said that she was not interested in this matter. Councilmember Kiar inquired about an additional burden on new residents. Mr. Wallace explained that a millage rate between 0 and 5 mills could be imposed. He added that statutes required that prospective property owners be apprised of the district and its current burden. Councilmember Santini explained her reasoning for not being interested. Mr. Webber advised that the developer had indicated that his intention that the burden would be paid off at the time of closing on each site; however, this could not be made part of the documentation.

Council indicated that it wanted more information and more time to review the matter.

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

9.2 Reminder January 11, 1996 is the Evaluation and Appraisal Report (E.A.R.) Workshop and SunnyLane Farms Water Assessment Workshop

Councilmember Santini questioned if the workshop on items 9.2 and 9.3 could be combined. Ms. Mellgren replied that the equestrian district and the Estate zoning would be discussed as all zoning districts in the Town would be discussed. Councilmember Santini stated that time was needed to discuss the zonings. Councilmember Kiar indicated that the Estate zoning and the equestrian district matter needed special attention. Vice-Mayor Venis agreed and indicated that these matters should be discussed at a separate meeting.

9.3 Schedule Dates for Equestrian District and "E" Zoning Workshops

After some discussion, the meeting was scheduled for 6:30 p.m. on January 22, 1996.

9.4 Ideas for Streamlining Council Meetings

Mr. Flatley stated that in order to streamline Council meetings, a clock had been ordered and would be installed. He also suggested that difficult items be tabled to a more open night.

Councilmember Kiar recommended that time limits be set. Mr. Webber stated that the petitioner usually did not take much time presenting and indicated that the public hearing was more time consuming. Councilmember Kiar suggested and Mr. Webber agreed that the petitioner should offer their entire presentation at one time. Mr. Flatley stated that the petitioner should be prepared to present the evidence and experts at a specified time and that public comments should be limited.

Councilmember Kiar recommended that presentations also be limited. Mr. Webber suggested that reasonable times be set and cautioned that it would be difficult to prevent the public from extending their comments as new evidence was presented after comments had been made.

Councilmember Cox suggested discussing the Consent Agenda on a different day. Councilmember Santini suggested limiting the items that could be removed for discussing. Mr. Flatley reiterated his suggestion that a separate night be set for difficult, time-consuming issues. Councilmember Kiar stated that he did not think another meeting was necessary. He suggested setting a curfew and added that he did not think the meetings should last past midnight. Councilmembers Cox and Santini indicated that this could cause the meeting to be reconvened the following day. Councilmember Kiar suggested a strict, three minute limit and that the time limit be enforced. Mr. Webber believed that a key element would be to allow testimony only once and be all inclusive. Comment was made that perhaps people would be better prepared if time constraints were enforced. Mayor Bush stated that the public generally did not abuse their time limits, but came up more than once.

Councilmember Santini stated that Council should also be held to its time limits under Councilmember's Comments. She added that certain matters regarding Councilmember's Comments and items under the Consent Agenda should be resolved with staff prior to the meeting. Councilmember Santini suggested that instead of having staff report on how a matter is progressing, the Councilmember should just provide an update.

Councilmember Santini suggested that Council meet the second Wednesday at 7:00 p.m. for presentations and hear regular items at 7:30 p.m. Councilmember Cox recommended that Council's comments be held for the end. Councilmember Santini

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

and Vice-Mayor Venis did not agree.

**TOWN COUNCIL
REGULAR MEETING
JANUARY 3, 1996
7:30 P.M.**

Ms. Mellgren questioned if the petitioners would have a time limit. Council indicated that the petitioner should be limited to the amount of expert witnesses and recommended that experts submit their resumes to Mr. Webber. After some discussion, it was decided that experts would be limited to five minutes and the public be limited to one appearance with a three minute time limit.

Mayor Bush stated that at the beginning of each quasi-judicial hearing, he turned the meeting over to Mr. Webber and asked if he should continue this procedure. Councilmember Kiar indicated that it was Mayor Bush's responsibility to enforce the time limit.

Vice-Mayor Venis stated that he had discussed the \$50,000 commitment letter for the Police Athletic League from the American Legion with Research and Development Coordinator Marsa Detscher and mentioned the need to comply with the commitment

10. ADJOURNMENT ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:19 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk